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C O N F I D E N T I A L THE HAGUE 000059

SIPDIS

STATE FOR ISN/CB, VCI/CCA, L/NPV, IO/MPR,
SECDEF FOR OSD/GSA/CN,CP>
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (ROBERTS AND DENYER)
NSC FOR FLY
WINPAC FOR WALTER

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SUBJECT: CWC: WRAP-UP FOR THE WEEK OF JANUARY 19-23, 2009

REF: A. THE HAGUE 40
 1B. BEIK - ISN/CB E-MAIL 1/9/2009 IRANIAN NOTE
 VERBALE ON CSP PROCEEDINGS
 1C. FERGUSON - ROBINSON E-MAIL 1/19/2009 DEL
 GUIDANCE ON IRAQ

Classified By: Janet E. Beik for reasons 1.4 (B) and (D)

This is CWC-02-09

SUMMARY

1. (SBU) The Organization for the Prohibition of Chemical Weapons is slowly returning to life after the holidays, with the first informal meetings this year of the Western European and Others Group (WEOG) on January 20, and Article X on January 22. Delreps also met with the Algerian delegate to discuss plans for a counter-terrorism conference this spring in Algeria, and with Secretariat officials and other delegations to discuss current issues.

WEOG MEETING

2. (SBU) The Western European and Others Group (WEOG) reconvened its regular weekly meetings on 20 January with a robust agenda focusing on the recent Iranian Note Verbale and preparations for Executive Council (EC)-55. WEOG Facilitator Ruth Surkau (Germany) reported on her meeting with OPCW Legal Adviser Santiago Onate on the Iranian paper (C-13/NAT.10) that questioned the validity of the Chairman's report of the Conference of the States Parties (CSP) and that implied none of the Conference decisions were final without a consensus report. Onate confirmed to Surkau (as he had to Ambassador Javits, ref B) that the document is a national paper that makes no official requests of the Technical Secretariat (TS). Delrep noted that the TS planned to respond to the Note Verbale after the Director General returned, but said that it

might be preferable for delegations to ignore it, as the primary audience for the Note may well have been Tehran. Other delegations agreed that it would be a mistake to give the issue traction by reacting to the note. The UK delegate stated that the Iranians had told her colleague that they do, in fact, recognize the validity of the CSP decisions. The Swiss delegate noted that Iran appears isolated on this issue, while others suggested that Iran could try and raise this issue as an agenda item at EC-55, a point the French delegate suggested WEOG should resist.

13. (SBU) Discussion moved on to the EC Bureau meeting scheduled later in the week. Surkau questioned why elections for the next Chair and Vice-Chairs for the Executive Council are on the EC -55 agenda, when there is another EC in April before the annual turnover in May. No WEOG delegation had a strong opinion on whether the elections should be deferred to EC-56. GRULAC will be meeting soon to discuss their candidates for the EC Chair.

14. (SBU) Surkau also raised Iran's accreditation lapse, noting that Iran still had not appointed a new representative to the EC, and the rules clearly call for a new regional group election for their Bureau seat. Surkau pointed out that under the OPCW rules of procedure, Iran would also have no voting rights in the next EC -- an important consideration should voting come up with the election of the next Chair and Vice-Chairs. U.S. Delrep noted that although the rules are clear on this point, it would be awkward for the U.S. to pursue the issue since the Delegation currently also has no representative. The German Ambassador suggested, as a possible bargaining chip, that WEOG not raise this accreditation issue if Iran decided to let its Note Verbale fade away. The UK and French delegates opined that it might actually be better to allow Iran to remain on the Bureau so that it is forced to make its intentions known.

15. (SBU) On Iraq's accession to the Convention, Surkau raised the question whether OPCW inspections will be possible given the current security conditions in Iraq. The Spanish delegate asked whether Iraq would declare as a possessor state. The German Ambassador noted that Iraq, by default, would accede as a possessor state since he had heard that Iraq planned to list countries it had traded with in the past. U.S. Delrep responded according to guidance (ref c) on the security question.

16. (U) On the Host Country Committee, Delrep stated that with Ambassador Javits departure, the U.S. would welcome other delegations' interest in taking his seat on the committee. The Swiss delegate indicated Switzerland's desire to continue on the committee. He also reported on the most recent committee meeting and the extension of the current commissary contractor for another year. Surkau asked WEOG delegations to consider putting their countries forward to replace the United States on the committee.

17. (U) Finally, there was a brief discussion of the Article X consultation scheduled for January 22, and the openings for new facilitators for both Article X and XI with the departures of current facilitators Victor Smirnovsky (Russia) and Li Hong (China) from The Hague.

ARTICLE X CONSULTATIONS

¶18. (U) On January 22, Delreps attended Russian delegate Victor Smirnovsky's last consultation as Article X facilitator. Head of the TS Assistance and Protection Branch (APB) Gennadi Lutay (Russia) gave a presentation on the Branch's activities in 2008, and planned activities in 2009 (slides to be forwarded separately to Washington). As usual, Lutay was defensive and unable to effectively answer most of the questions.

¶19. (U) South Africa raised a concern that the OPCW's desire to train in a uni-lingual environment resulted in training that did not effectively build cohesion and cooperation within the traditional sub-regional groupings in Africa. SA delegate Van Schalkwyk pointed out the sub-regional groups will best be able to respond quickly in an emergency, and that is therefore far more valuable for networks to evolve in this context, as opposed to in a French or English speaking context.

¶10. (U) France suggested that, as the Organization has been working on building capacity in Assistance and Protection for over ten years, this would be a good time for the Secretariat to provide an overview of what has and has not been effective in this area, and specifically recommended that such a report include: an assessment of program efficacy; recommendations for future orientation; and some thoughts on networking (both with former trainees and with other international organizations). Lutay replied that the Secretariat is working on an assessment that should be published in February.

¶11. (U) In response to other questions, APB member Ervin Farkas provided a useful example of Central Asian capacity building, in which he was able to confirm continued networking of trainees years after OPCW training. The Iranian delegation made its traditional pitch for the importance of Article X, encouraged more voluntary contributions, and expressed concern that delegations and the TS were beginning to focus too heavily on terrorism in Article X, which was "not the only threat." International Cooperation and Assistance Director Mworia called upon States Parties to continue contributing funding and training to Article X efforts.

¶12. (U) As Vice Chair of the Chemical Weapons cluster of issues, German Ambassador Burkart thanked the facilitator for his work and called for a new facilitator to be nominated before the February EC.

ALGERIAN COUNTER-TERRORISM CONFERENCE AND DG
CANDIDATE

¶13. (C) On January 21, Delreps met with Algerian delegate Said Moussi to discuss planning for a joint U.S.-Algeria conference on terrorism this spring. Despite the reason for the meeting, Moussi's number one agenda item was clearly to discuss Algeria's interest in nominating a candidate for the position of Director General of the OPCW. He clarified for Delreps that, while there were several possible candidates, Algerian Ambassador to the Netherlands Benchaa Dani was definitely being considered. Delreps noted the U.S. understanding that there was an agreement dating back to the Prepcom that leadership of the Organization would rotate between developed and developing countries.

¶14. (SBU) On the conference, Moussi indicated that

Algeria is still very interested in a meeting that includes Mediterranean and international experts, as opposed to limiting attendees to African countries. He also noted the importance of avoiding an appearance of the U.S. training Africans; Delreps pointed to the importance of Algeria and the African Center for Research and Studies in Terrorism proposing appropriate African experts to speak on various topics. On timing of the conference, Moussi agreed that March is rapidly becoming less realistic, and said that part of the original reason to hold the event earlier was tied to Algerian elections in April.

¶15. (SBU) Delreps and Moussi agreed that the next logical step will be to involve other interested parties (EU, OPCW), some of whom may be able to provide experts or funding. Algeria clearly still has high expectations for U.S. contributions, not only for the conference, but also for building an analytical chemical laboratory at the Center in Algiers. Delrep later provided Moussi with a general list of topics the U.S. would recommend including in the conference agenda, as well as specific topics for which the U.S. would be able to provide expert speakers.

¶16. (SBU) French delegate Annie Mari, chairperson of the Open Ended Working Group on Terrorism, phoned Delrep later in the week to ask about this conference. Moussi had consulted with the French delegation during her absence over the holidays, and she noted her particular interest in participating in planning given her role in the OEWG. She also noted that France could not fund anything directly to the African Union's Counter-terrorism Center due to the inclusion of the Polisario as a member; however, France (and, presumably by extension, the EU) could fund the Algerian government for such a conference and would not object to using the AU Center as a venue. Delrep replied that we had encouraged Moussi to consider a broader meeting with interested parties from the OPCW and other governments to discuss the conference and would welcome her participation.

¶17. (C) Del Comment: It will be important to articulate the outer limits of U.S. contributions as soon as possible. Given the amount of time likely required to coordinate with the OPCW, African Union, possibly the EU, and other stakeholders, Del recommends starting the coordination process early, and involving USG parties with regional and local expertise (AFRICOM, Embassy Algiers, State's African and Near East Bureaus, etc.) Algeria still views this as a high level political event, global in nature, and there is a wide gap between the Algerian view and the U.S. intent to train African experts and practitioners. Algiers may in part be motivated by a desire to put Algeria more visibly on the OPCW map, in order to increase Algeria's chances for success in a bid for the Director General post. End Comment.

OF IRAQ AND IRAN

¶18. (C) Iraqi First Secretary Abbas Fadhil Al-Khafaji, who has been assigned the CWC portfolio, told Delrep that his government is considering whether to assign a Permanent Representative to OPCW in addition to the current Ambassador as they take up full membership. He did not have further information on their declaration except to say that he expected it would not take long to complete after the extensive preparations and multiple

workshops on the draft declaration.

¶19. (C) OPCW Deputy Director General confided to Delrep that Acting Iranian Perm Rep Mohsin Naziri Asl had told him that he would be transferring from The Hague before the EC. (Del comment: If this transfer, in fact, occurs, it would be good news, after Naziri Asl's intransigent leadership of the Iranian delegation during the CSP. We have, however, been told before of imminent Iranian transfers that take months to actually occur. End comment.)

SENIOR TS STAFF TURN-OVER

¶20. (SBU) Ron Nelson (Director, Administration) told Delrep that the DG had convinced Nelson to extend his contract until mid-2010 so that his departure would coincide with the DG's. Nelson also informed Delrep that Ichiro Akiyama (Director, Inspectorate) has tendered his resignation, effective this summer.

¶21. (SBU) Del Comment: Nelson had indicated several times previously his desire to retire sooner rather than later but seems to have acquiesced to the DG's desire to keep his senior management team in place until the end of his term. And -- while Akiyama's departure might seem surprising -- he had told Delreps last year that he felt uneasy forcing inspectors to retire due to the tenure policy while he remained in his position beyond the tenure limit. Akiyama had indicated that he would try to leave his post by mid-2009 despite obvious pressure from the DG to stay on.

¶22. (U) BEIK SENDS.
GALLAGHER